

1. As used in this section:
  - a. “Motor carrier” means the same as defined in section 325A.1.
  - b. “Motor carrier transportation contract” means a contract, agreement, or understanding related to any of the following:
    - (1) The transportation for hire of property by a motor carrier.
    - (2) The entrance upon property by a motor carrier for the purpose of loading, unloading, or transporting property for transportation for hire.
    - (3) A service incidental to the activities described in subparagraph (1) or (2), including but not limited to the storage of property.
  - c. “Transportation for hire” means the same as defined in section 325A.1.
2. Notwithstanding any provision of law to the contrary, a motor carrier transportation contract, whether express or implied, shall not contain a provision, clause, covenant, or agreement that purports to indemnify, defend, or hold harmless, or has the effect of indemnifying, defending, or holding harmless, a promisee from or against any liability for injury, death, loss, or damage resulting from the negligence or intentional acts or omissions of that promisee, or any agents, employees, servants, or independent contractors who are directly responsible to that promisee. This prohibition applies to any provisions or agreements collateral to or affecting a motor carrier transportation contract. Any such provisions, clauses, covenants, or agreements are void and unenforceable. If any provision, clause, covenant, or agreement is deemed void and unenforceable under this section, the remaining provisions of the motor carrier transportation contract are severable and shall be enforceable unless otherwise prohibited by law.
3. This section does not apply to the uniform intermodal interchange and facilities access agreement administered by the intermodal association of north America, as amended, or other contracts or agreements providing for the interchange, use, or possession of intermodal chassis or other intermodal equipment.
4. This section applies to motor carrier transportation contracts entered into, extended, or renewed on or after July 1, 2010.

Approved April 23, 2010

## CHAPTER 1156

### MEDICAID — HOME AND COMMUNITY-BASED SERVICES WAIVER — HOME MODIFICATION

*S.F. 2267*

**AN ACT** relating to the home modification requirements under the Medicaid home and community-based services waiver for the elderly.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. HOME MODIFICATION — REVIEW OF REQUIREMENTS. The department of human services, in consultation with the department on aging, area agencies on aging, and other organizations representing the interests of older Iowans, shall review the requirements for home modification under the medical assistance home and community-based services waiver for the elderly, including the lifetime cap, and shall present a plan to increase the lifetime limit to the general assembly by December 31, 2011.

Approved April 23, 2010

**CHAPTER 1157****VEHICULAR ACCIDENT REPORTING REQUIREMENTS — DAMAGE THRESHOLD  
AMOUNT***S.F. 2304*

**AN ACT** relating to vehicular accident reporting requirements by increasing the minimum amount of property damage necessitating a written report.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 321.266, subsection 2, Code 2009, is amended to read as follows:

2. The driver of a vehicle involved in an accident resulting in injury to or death of any person, or total property damage to an apparent extent of one thousand five hundred dollars or more shall, within seventy-two hours after the accident, forward a written report of the accident to the department. However, such report is not required when the accident is investigated by a law enforcement agency.

Sec. 2. Section 321G.10, Code 2009, is amended to read as follows:

**321G.10 Accident reports.**

If a snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to one thousand dollars or more, either the operator or someone acting for the operator shall immediately notify the county sheriff or another law enforcement agency in the state. If the accident occurred on public land or ice under the jurisdiction of the commission, the operator shall file with the commission a report of the accident, within seventy-two hours, containing information as the commission may require. ~~All~~ For all other accidents shall be reported as required under resulting in injury or death or property damage amounting to one thousand dollars or more, the operator shall forward a written report to the department of transportation within seventy-two hours, unless the accident is investigated by a law enforcement agency as provided in section 321.266.

Sec. 3. Section 321I.11, Code 2009, is amended to read as follows:

**321I.11 Accident reports.**

If an all-terrain vehicle is involved in an accident resulting in injury or death to anyone or property damage amounting to one thousand dollars or more, either the operator or someone acting for the operator shall immediately notify the county sheriff or another law enforcement agency in the state. If the accident occurred on public land or ice under the jurisdiction of the commission, the operator shall file with the commission a report of the accident, within seventy-two hours, containing information as the commission may require. ~~All~~ For all other accidents shall be reported as required resulting in injury or death or property damage amounting to one thousand dollars or more, the operator shall forward a written report to the department of transportation within seventy-two hours, unless the accident is investigated by a law enforcement agency as provided in section 321.266.

Approved April 23, 2010